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ABSTRACT

This publication presents the results of a mandated state (Hawaii) study of the issues involved in providing tuition waivers to native Hawaiian students at all campuses of the University of Hawaii system. The study sought, in particular, to examine the nature of tuition waivers, the issues to be addressed if such a policy were instituted, and the probable impacts on the university system. Chapter 1 describes the characteristics of the Hawaiian population generally, its educational levels and needs as identified by past surveys, and the population of native Hawaiian students in the University of Hawaii system. Chapter 2 describes tuition waivers as they currently operate at the University of Hawaii; how much income is foregone by the University in providing those waivers; and how many native Hawaiian students potentially might take advantage of a tuition waiver program. This chapter describes a similar program operating in Michigan for North American Indians. Chapter 3 presents the study's findings and identifies the main issues which the Legislature and the University of Hawaii must address if tuition waivers for Hawaiian students are to be implemented. Appendixes contain the pertinent state statutes and the University bylaws and policies. (JB)

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Tuition Waivers for Hawaiian Students In Higher Education

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15. Establishing a format for, and compiling and publishing an index of, rules adopted under the Administrative Procedure Act.

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Tuition Waivers for Hawaiian Students In Higher Education

Jean Kadooka Mardfin
Researcher

Report No. 2, 1991

Legislative Reference Bureau
State Capitol
Honolulu, Hawaii 96813

FOREWORD

Senate Resolution No. 83, adopted during the 1991 Regular Session requested a study on tuition waivers for Native Hawaiians within the University of Hawaii system. This report examines the nature of tuition waivers, the issues to be addressed if such a policy is instituted, and the probable impacts upon the university system in foregone tuition revenues.

The Bureau acknowledges with sincere gratitude the assistance and data received from the following groups: The Kamehameha Schools/Bernice Pauahi Bishop Estate, Office of Program Evaluation and Planning; the Office of Hawaiian Affairs; the University of Hawaii, Office of the Vice President for Student Affairs; and the Department of Business, Economic Development, and Tourism.

Samuel B. K. Chang
Director

October 1991

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CHAPTER 1

INTRODUCTION

Senate Resolution No. 83 (See Appendix A) which was adopted by the Senate during the 1991 Regular Session of the Hawaii State Legislature requested the Legislative Reference Bureau to examine the issues involved in providing tuition waivers to native Hawaiian students at all campuses of the University of Hawaii system. The thrust of the testimony presented on S.R. No. 83 and its companion resolutions (S.C.R. No. 101, H.R. No. 218, and H.C.R. No. 192 which are identical in substance to S.R. No. 83) was that a college education would enable native Hawaiians to find a good job, have a rewarding career, and lead to self sufficiency, greater self determination, and an increase in self-esteem. Providing tuition waivers also was viewed as one way to partially correct the history of wrongs committed upon the Hawaiian people by removing another obstacle which might prevent an otherwise eligible high school graduate from having the opportunity to attend college.

Conduct of the Study

This study sought to examine the nature of tuition waivers, the issues to be addressed if such a policy is instituted, and the probable impacts upon the university system.

Organization of the Report

The report is presented as follows:

Chapter 1 describes the characteristics of the Hawaiian population generally, its educational levels and needs as identified by past surveys, and the population of Hawaiian students in the University of Hawaii system.

Chapter 2 describes tuition waivers as it currently operates at the University of Hawaii; how much income is foregone by the University by providing those waivers; and how many Hawaiian students potentially might take advantage of a tuition waiver program. This chapter concludes by describing a similar program operating in Michigan for native American Indians.

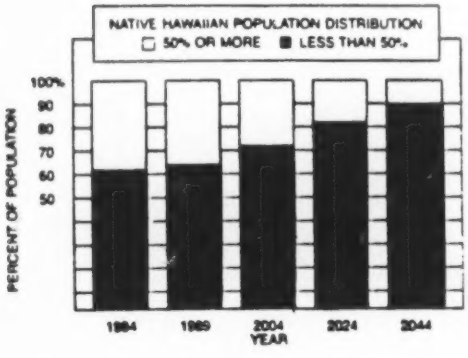
Chapter 3 presents the Bureau's findings and identifies the main issues which the Legislature and the University of Hawaii must address if tuition waivers for Hawaiian students become a reality.

The Hawaiian Population

Much has been written about the decline of the Hawaiian[1] population since the discovery of the islands by Captain James Cook in 1778. Estimates vary, but many writers agree that the total native Hawaiiian population dropped from about 300,000 in 1778 to about 84,000 in 1850 due to disease, epidemics, and migration.[2] After 1850 increases in the Hawaiian population were due to an increase in the number of part-Hawaiians despite a decrease in the number of full-blooded Hawaiians. In 1990 the total number of Hawaiians was reported to be 138,742, a change of 20 per cent since the 1980 census figure of 115,500.[3] It is possible that self-selection of the "Hawaiian" category over other ethnic categories by part-Hawaiians has helped to increase this number[4] and may be a positive sign that Hawaiians are gaining pride in "being a Hawaiian".[5] For a look at the trends in full- and part-Hawaiian distribution over the years, see Exhibit 1.

Exhibit 1

Increase of Hawaiians With Less
Than 50% Blood Quantity



Source: Office of Hawaiian Affairs. Blueprint for Native Hawaiian Entitlements.

While the number of Hawaiians has been increasing in the general population, Hawaiians have been losing ground vis-a-vis other ethnic groups in such areas as:

(1) The high number of unemployed;

(2) The low numbers in white-collar, managerial positions;

(3) Over-representation in the lowest income categories and classification below the poverty level;

(4) High percentage of juvenile delinquency and arrestees;

(5) Higher mortality rates for heart disease, substance abuse; and

(6) A lower life expectancy.[6]

These indices of socioeconomic problems have been linked to lower educational attainment by Hawaiians. The lower educational levels have an effect on other indices of wealth, such as increased need for social services such as welfare. For example in 1975, 27 per cent of native Hawaiians were classified as living below the poverty level and in 1982 the percentage of native Hawaiians on welfare was significantly higher than their relative share of the population.[7]

Education and the Hawaiians

The 1980 Census of Population revealed that the per cent of Hawaiian youths 5 years to 17 years old who were enrolled in school was well in the 90 per cent range. However the percentage drops dramatically after these young people reach 18 years.

Per Cent Enrolled in School

By Age:	Hawaiian:
3 and 4 years old	36.5
5 and 6	93.4
7 to 15	98.9
16 and 17	93.1
18 and 19	41.0
20 and 21	15.9
22 to 24	9.4
25 to 34	5.0

Source: U.S. Bureau of the Census. 1980 Census of Population, General, Social, and Economic Characteristics, Hawaii. Table 93. Washington, D.C. June 1983.

As of this writing, no figures were available on educational characteristics detailed by race from the 1990 census. However, a chart from Kamehameha Schools confirms in graphic form that in 1980, while the percentage of 16 and 17 year old Hawaiians compared favorably against the persons of the same age category enrolled in school for the United States in general, for Hawaiians in Hawaii and for Hawaiians in the United States, their percentage enrollment compared least favorably from ages 18 to 24, the typical age of college students. Further, college completion for Hawaiians over 25 years old in Hawaii was 8.3 per cent,

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compared to 20.3 per cent for all persons over 25 years old in Hawaii. For the United States in general, 16.3 per cent of persons 25 years or older had completed college while Hawaiians in the United States had a completion rate of just 10 per cent (See Exhibit 2).

In contrast to college completion, the data for high school completion indicate that Hawaiians complete high school at about the same rate as other ethnic groups.

The 1980 census reported that for Hawaiian males 25 years of age and over, 67.8 per cent were high school graduates while for Hawaiian females in the same age category, 68.5 per cent were high school graduates. For all Hawaiian persons over 25 years old 68.2 per cent were high school graduates and the median years of school completed was 12.4. It has been suggested that if high school completion is not extraordinarily different from other racial groups, there may be difficulties after high school for Hawaiian students which prevent enrollment in college or hinder the ability to complete college after enrollment.

A general idea of what these hindrances might be can be gleaned from several studies about Hawaiian students' academic success: (1) The Office of Hawaiian Affairs' 1986 Population Survey/Needs Assessment, Final Report; (2) the 1983 Native Hawaiian Educational Assessment Project; Final Report by Kamehameha Schools; (3) Alu Like's Native Hawaiian Students at the University of Hawaii (June 1988); and (4) Socioeconomic Characteristics of Native Hawaiians by Barringer and O'Hagan (1989).

Educational Needs of Native Hawaiians

The Office of Hawaiian Affairs (OHA) published in 1986 a study describing the Hawaiian population and its needs.[8] As to educational needs, this study found the reasons for not receiving educational services were in order of descending frequency:

"Too busy/family obligation" (18.8 per cent)

"Cost" (16.4 per cent)

"Lack of transportation (13.8 per cent)[9]

For detailed educational services, reasons for not receiving services were varied:

(1) Reasons for not receiving basic education services were, in order of priority:

"Lack of transportation"

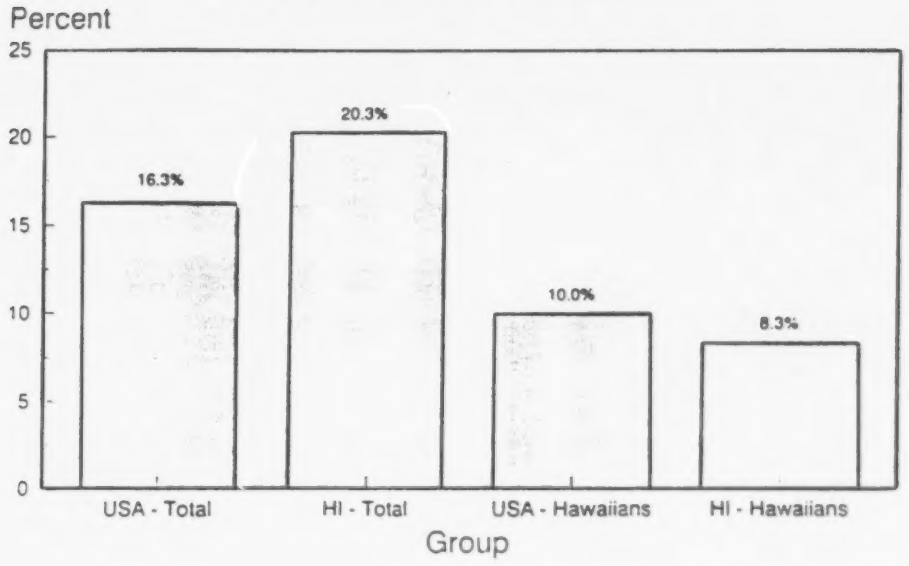
"Too costly"

"Unavailable"

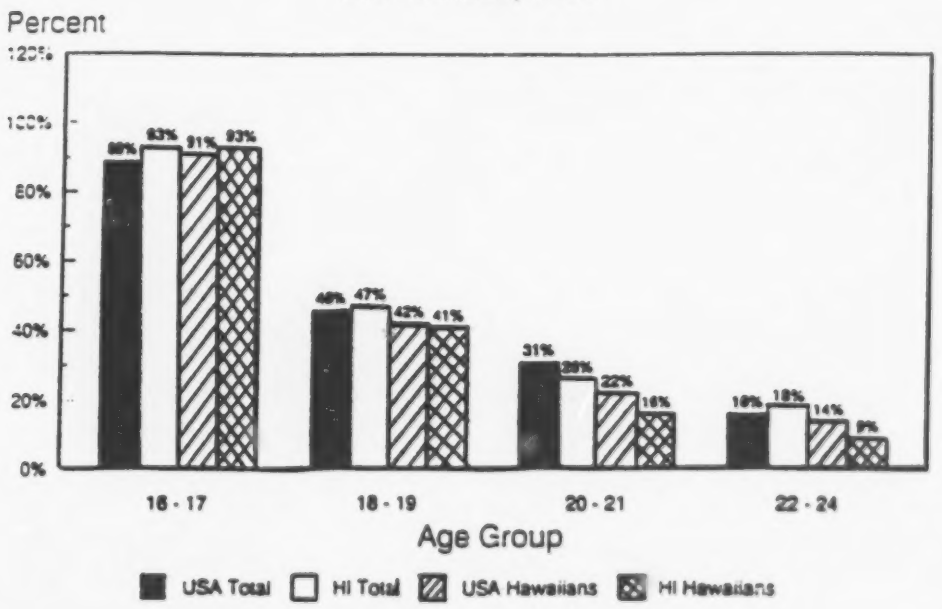
Exhibit 2

College Completion - 1980

Persons 25 years and Over



Enrollment in School and College
U.S. Census, 1980



Source: Kamehameha Schools.

(2) Reasons for not continuing education:

"Too costly"

"Too busy, family obligations"

(3) The reasons for not receiving services in Hawaiian studies:

First, "lack of transportation"

Second, "too busy, family obligations"

Third, "unavailable"[10]

OHA also asked, why do Hawaiians leave school before graduating or before the age of majority? OHA reported that most Hawaiian children who leave school leave in the tenth grade. The next largest group leave in the eleventh grade. The reasons for leaving school range from boredom and lack of interest, pregnancy/marriage, wanting to drop out, and misbehavior.[11]

On questions relating to school attendance by adult Hawaiians, OHA found that of the individuals surveyed, 6.9 per cent indicated they were going to school. As to the reason for going to school, 40 per cent of those surveyed said it was for relaxation or self improvement, while 60 per cent of those surveyed said going to school was job-related.[12]

Of the adults not going to school, 44 per cent indicated that they would like to go to school but the reasons which prevented them were as follows:

Family or other obligations (43.5 per cent)

Money or financial barriers (14 per cent)

Lack of time (13.8 per cent)

The cost of education was shown by the OHA needs assessment survey to be one reason in some cases for not receiving educational services of one kind or another. Perhaps providing tuition waivers would alleviate this problem for these individuals.

Another report described the educational problems of the Hawaiian population this way:[13]

> "Over 20 percent of the students in Hawaiian public schools are Native Hawaiian, who constitute the second largest ethnic group. However, even as early as the preschool years, Native Hawaiians

> are at an educational disadvantage: over 67 percent of entering kindergarten children score below the norm, compared to the national average of 23 percent. An estimated 37 per cent of native Hawaiian elementary students score in the lowest scoring groups and 12 percent in the highest groups; nationally, 23 percent score in each group. About 75 percent of preschoolers entering kindergarten at the Kamehameha Schools have hearing impairments severe enough to interfere with learning. In the 9th grade, only one-third of the native Hawaiian students aspire to a four year college education while 50 to 75 percent of their peers have such hopes. Native Hawaiian children make up 35 percent of the students in Hawaii who are identified as having learning disabilities. Only 7 per cent of the students enrolled at the University of Hawaii are Native Hawaiians."

Barringer and O'Hagan provide the following summary of the plight of Hawaiian students:[14]

> "Native Hawaiians rank relatively low on any measure used to compare educational levels in Hawaii. Not only are educational levels lower, but results of standardized test scores are well below national and state norms....On SAT combined tests, only Filipino students do more poorly than Native Hawaiians, and part of that difference may be explained by the fact that many Filipinos are immigrants....grade point averages are consistently lower for Native Hawaiians than for Filipino, Japanese, or all students combined....more Native Hawaiian students major in arts and science or tropical agriculture than most, and more striking, only 5.9 percent of a 1981 cohort majored in business, as compared with 23 percent of all students.
>
> ...
>
> Native Hawaiians (at least in Hawaii) do not attain the educational levels of most other groups, although some evidence exists that the proportion of Native Hawaiian students in college has increased substantially from 1977 to 1987. Further, those who do go on to higher education suffer in performance when compared to most other students."

While it is beyond the scope of this report to examine the many reasons for Hawaiians' failure to complete college at a greater rate, Senate Resolution No. 83 (1991) presupposes that one of the critical reasons is the cost of education. Hence, the Resolution's proposed tuition waiver program is unrestricted as to residency requirement or blood quantum.

Number of Hawaiians in the University of Hawaii System

Exhibit 3 portrays the number and percentage of Hawaiians in the University of Hawaii System since 1986. Exhibit 4 is a bar graph representation of the percentage of Hawaiians in the UH system for the period 1985 through 1990.

Several observations can be made from this information. In general, the percentage of native Hawaiians enrolled in the UH system has been increasing each year since 1986, albeit very slowly (from 8.6 per cent in 1986 to 9.9 per cent in 1990). For four-year institutions (West Oahu is included here, because it provides the junior and senior years of a typical four-year program) in Fall 1990, the percentages range from a low of 6.0 per cent at UH Manoa to a high of 18.8 per cent at UH Hilo. For the same period, the total percentage of Hawaiians in the community colleges was 11.4 per cent. Comparing these figures against the percentage of Hawaiians in the general population in the 1990 census, 12.5 per cent, it is apparent that after UH Manoa, Honolulu community college has the next lowest percentage of Hawaiians enrolled in its program (8.4 per cent). Doing better after UH Hilo, are Windward Community College (17.4 per cent), Maui Community College (14.5 per cent), and Kauai Community College (13 per cent).

Several educators and community groups involved in Hawaiian issues would like to see enrollment of Hawaiian students reach parity with the Hawaiian population in the general population in every UH campus. Whether or not tuition waivers alone will accomplish this is not known. Community colleges attract more Hawaiian students than the Manoa, Hilo, and West Oahu campuses, but fewer than the expected number of these Hawaiian students transfer to the four-year colleges. One reason is that of full-time students in community colleges, more Hawaiians were enrolled in the vocational education program than in liberal arts. This issue has been examined and reported in Alu Like's 1988 report, *Native Hawaiian Students at the University of Hawaii*.

Exhibit 3

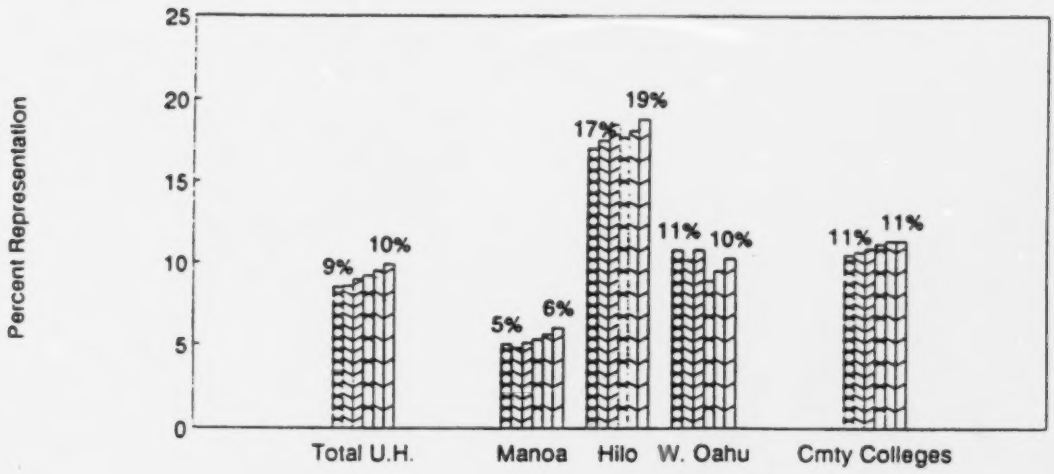
Hawaiian/Part-Hawaiian Regular Students by Campus
University of Hawaii

Campus	Fall 1990	Fall 1989	Fall 1988	Fall 1987	Fall 1986
Total No.	4,509	4,149	3,898	3,864	3,682
Per Cent	9.9%	9.5%	9.2%	9.0%	8.6%
UH Manoa No.	1,120	1,037	970	929	917
Per Cent	6.0%	5.6%	5.3%	5.1%	4.8%
UH Hilo No.	838	719	642	656	574
Per Cent	18.8%	18.1%	17.7%	18.5%	17.5%
UH West Oahu No.	67	57	44	52	49
Per Cent	10.3%	9.5%	8.9%	10.8%	10.2%
Subtotal for Community Colleges No.	2,484	2,336	2,242	2,227	2,142
Per Cent	11.4%	11.4%	11.2%	10.9%	10.7%
Honolulu No.	532	562	465	471	439
Per Cent	12.1%	13.4%	10.8%	10.4%	10.3%
Kapiolani No.	530	499	483	450	395
Per Cent	8.4%	8.7%	8.8%	8.4%	7.6%
Kauai No.	183	177	158	135	155
Per Cent	13.0%	13.6%	12.8%	11.6%	12.5%
Leeward No.	616	560	517	542	534
Per Cent	10.6%	9.9%	9.5%	9.5%	9.4%
Maui No.	340	337	348	341	333
Per Cent	14.5%	16.2%	17.4%	17.8%	17.0%
Windward No.	283	201	271	288	286
Per cent	17.4%	12.5%	17.4%	17.5%	17.5%

Source: University of Hawaii, Office of Student Affairs from Table 7, Ethnic Background of Regular Students, by Campus, University of Hawaii, Fall 1986 through Fall 1990).

Exhibit 4

Per Cent Representation
Hawaiians in University of Hawaii System
1985 - 1990



Kamehameha Schools/Bishop Estate, Office of Program Evaluation and Planning, June, 1991

ENDNOTES

1. For purposes of this report the word "Hawaiian" includes part-Hawaiians and native Hawaiians, and is defined in the broadest fashion as "any individual any of whose ancestors were native of the area which consists of the Hawaiian Islands prior to 1778." (This definition is used in: Native Hawaiian Educational Assessment Project: Final Report. Kamehameha Schools (Honolulu), July 1983. p. 3).

2. See Native Hawaiians Study Commission. U.S. Dept. of the Interior; Report on the Culture, Needs, and Concerns of Native Hawaiians. Washington, D.C., June 1983.

3. U.S. Bureau of the Census. Release CB91-42 (February 1991) and Summary Tape File 1A. Table 24.2. Race and Hispanic Origin: 1980 and 1990. (Unpublished table received from Department of Business, Economic Development and Tourism, June 12, 1991).

4. "'Minorities rule' still holding true in Isles", Honolulu Advertiser, June 14, 1991, p. A-1.

5. See Lopez-Reyes. "The Demise of the Hawaiian Kingdom: A Psycho-cultural Analysis and Moral Legacy (Something Lost, Something Owed)" in Hawaii Bar Journal, vol. 18, no. 1 (1983), pp. 3-23 for a description of a time when Hawaiians did not feel proud to be Hawaiians.

6. See Native Hawaiians Study Commission. U.S. Dept. of the Interior. Report on the Culture, Needs, and Concerns of Native Hawaiians. Washington, D.C., June 1983, and Native Hawaiian Educational Assessment Project. Final Report. Kamehameha Schools (Honolulu), July 1983.

7. Native Hawaiians Study Commission. Report on the Culture, Needs and Concerns of Native Hawaiians, Washington, D.C., June 1983.

8. Office of Hawaiian Affairs. Population Survey/Needs Assessment. Final Report, June 1986 (hereinafter cited as OHA, Final Report).

9. OHA, Final Report, p. IV-7.

10. OHA, Final Report, p. IV-8.

11. OHA, Final Report, pp. V-5 to V-6.

12. OHA, Final Report, p. V-6.

13. U.S. Congress. Senate. Select Committee on Indian Affairs, Improving the Education Status of Native Hawaiians, and for Other Purposes, 100th Cong. 1st sess., 1987 Report 100-36, p. 3.

14. Barringer, Herbert and Patricia O'Hagan, Socioeconomic Characteristics of Native Hawaiians, Alulike, 1989, pp. 37-79.

CHAPTER 2

TUITION WAIVERS

Introduction

This chapter examines how tuition waivers operate and the cost to the University of Hawaii in terms of foregone tuition revenues. The chapter next looks at estimates of Hawaiian student population projections for the next few years and the effect of self definition of "Hawaiian" on these projections. The chapter concludes with a description of Michigan's tuition waiver program for north American Indians.

Tuition Waivers at the University of Hawaii

There are many types of tuition waivers available to certain students at the University of Hawaii. For example, there are tuition waivers for students who are blind, which is governed by section 304-14, Hawaii Revised Statutes, while section 304-14.7, Hawaii Revised Statutes, governs tuition waivers for veterans. There are no tuition waivers for Hawaiian students as a separate ethnic group. Instead, a Hawaiian student who may be blind, a veteran, or fit another category may receive a tuition waiver for meeting that specific criteria.

The tuition waivers at the University of Hawaii which are governed by section 304-17, Hawaii Revised Statutes (See Appendix B), and Appendix 6-4 of the Board of Regents' (BOR) Bylaws and Policies (See Appendix C) is the category with the greatest number of participants. The total number of tuition waivers as provided by this section cannot exceed fifteen per cent of the total full-time enrollment in the previous fall semester and part of this fifteen per cent includes two per cent which are awarded to qualified, full-time students "whose presence advances the university's unique mission as a bridge between east and west, and also enhances the leadership role the university and the State have assumed in the Pacific and Asian regions."[1]

In the first thirteen per cent described as "general tuition waivers" a student may be a resident or a nonresident, except that at least half of the available waivers at each campus shall be made initially available to residents with demonstrated financial need. In general these tuition waivers can be used for students with financial need and scholastic achievement to develop artistic endeavors, to promote school spirit or improve community relations, and to minority students, and exchange students.[2]

The remaining two per cent is described as "Pacific-Asian scholarships".[3] The purpose of the Pacific-Asian scholarship program is to support the University of Hawaii's recognized mission to provide relevant education and training to those who will assume positions of leadership, responsibility, and service in the Pacific and Asian region. Recipients in this category could be residents or nonresidents although at least half of the available

scholarship units at each campus shall be made initially available to highly qualified nonresidents who are residents of the Pacific, East Asian, and southeast Asian jurisdictions who meet academic merit, planned courses of study criteria and other requirements.[4] Both kinds of waivers provided by section 304-17 require the student to meet academic criteria and other guidelines. These tuition waivers can be granted and renewed for four years.

In addition to general tuition waivers and Pacific Asian scholarships, there are other tuition waivers for the following groups:

(1) Certain members of the National Guard and Reserves;

(2) Vietnam veterans;

(3) Teacher education incentive program;

(4) Graduate assistants;

(5) Senior citizens;

(6) UH employees; and

(7) Blind students.

The University provided the Bureau with a breakdown of the number of Hawaiian students who receive tuition waivers in each of these categories based on Fall 1990 enrollment.

Hawaiian/Part-Hawaiian Recipients of Tuition Waivers in the UH System

Although tuition waivers are not set aside for Hawaiian students as a special group, the University reported that Hawaiian students received 9.2 per cent of all general UH tuition waivers awarded in Fall 1990 at UH Manoa. Approximately 22 per cent of all enrolled Hawaiian students at Manoa received a tuition waiver in that same semester.

Exhibit 5 reveals the number of Hawaiian/part-Hawaiian recipients of tuition waivers in different categories described in the previous section. In the whole UH system, 584 tuition waivers were granted to Hawaiian students during the fall 1990 semester. This represents 8.5 per cent of the total number (6,836) of tuition waivers awarded. As to the total general tuition waivers (pursuant to section 304-17, HRS) awarded in the entire system, Hawaiians received 442 of 3,453 waivers awarded, or 12.8 per cent. In the Pacific-Asian Scholarships category, Hawaiian students received 5.8 per cent of the 375 awards while Hawaiian students received 10 per cent of the 884 National Guard and reserve tuition waivers. Graduate assistant tuition waivers (applicable only at the Manoa campus) were granted to 891 students of which only

1.9 per cent were granted to Hawaiian students. In many of these categories the percentage of Hawaiian students receiving tuition waivers did not approach the percentage of Hawaiians in the general population. In the 1990 census, about 12 per cent of the population were Hawaiian.

The Cost of Attending the Various Campuses of the UH System

The cost of tuition at the University varies depending on the campus, the program, whether the student attends full-time, part-time, or summer session, and whether one is a resident or a nonresident of the State of Hawaii.

Exhibits 6A, 6B, and 6C describe the tuition schedules for school years 1990-91 through 1994-95. For school year 1990-91 the highest tuition was in the school of medicine: resident tuition was $2,415 per semester and nonresident tuition was $7,245 per semester. In contrast, the lowest tuition was in the community colleges where resident tuition was $200 and nonresident tuition was $1,230 per semester for the fall 1990 semester.

Foregone Tuition Revenue

It is not possible to determine with certainty how much a tuition waiver program for Hawaiian students is likely to cost the University in foregone tuition. This figure would depend on a number of factors such as:

(1) The number of Hawaiian students who choose to attend the UH system (instead of another college in the State or on the mainland).

(2) Which school (four-year or community college, medicine, or law, etc.) the student selects.

(3) Whether the student would have to pay resident tuition or nonresident tuition, which costs about three times more than resident tuition.

The available data can only show the total foregone tuition revenues for each campus and for each kind of tuition waiver but not how much of that revenue is foregone from Hawaiian students, whether resident or nonresident.

If all Hawaiian students enrolled in the entire UH system in school year 1990-1991 were enrolled at UH Manoa and received tuition waivers, the foregone tuition calculated at the resident tuition level for undergraduates at the Manoa campus would have been $5,546,070 (4,509 Hawaiian students multiplied by tuition of $1,230 per year). Without a breakdown of Hawaiian students in each tuition category, this figure of five and a half million dollars is only a "guesstimate".

EXHIBIT 5

UNIVERSITY OF HAWAII TUITION WAIVERS
HAWAIIAN/PART HAWAIIAN RECIPIENTS
FALL 1990

	UH Tuition Waivers 15% of Enrollment			Pacific Asian Scholarship			National Guard & Reserve Tuition Waiver Waiver Program			Vietnam Veteran			Teacher Incentive			Tuition Waivers for the Blind			Senior Citizens	UH Employees	Graduate Asst. Tuition Waivers			Total		
	A	B	C	A	B	C	A	B	C	A	B	C	A	B	C	A	B	C			A	B	C	A	B	C
UH Manoa	1,878	172	9.159	242	6	2.5	333	24	7.2	--	0	--	71	6	8.5	18	0	--	NA	NA	891	17	1.9	3,938	225	5.7
UH Hilo	390	89	22.8	60	4	6.7	38	6	15.8	17	2	11.8	15	0	--	1	0	--	NA	NA	NA	NA	--	632	101	15.9
UH West	45	6	13.3	3	0	--	35	3	8.6	18	2	18.3	NA	NA	--	--	0	--	NA	NA	NA	NA	--	118	11	9.3
HCC	338	64	18.9	42	7	16.7	148	22	14.9	7	1	18.3	NA	NA	--	--	0	--	NA	NA	NA	NA	--	588	94	16.0
KCC	423	39	9.2	12	0	--	115	8	7.0	7	1	18.3	NA	NA	--	--	0	--	NA	NA	NA	NA	--	675	48	7.1
Kauai CC	66	20	30.3	--	0	--	13	2	15.4	5	0	--	NA	NA	--	--	0	--	NA	NA	NA	NA	--	162	22	13.6
LCC	110	20	18.2	--	0	--	148	15	10.1	7	1	18.3	NA	NA	--	--	0	--	NA	NA	NA	NA	--	345	36	10.4
MCC	98	6	6.1	--	0	--	16	3	18.8	2	0	--	NA	NA	--	--	0	--	NA	NA	NA	NA	--	187	9	4.8
WW	105	26	24.8	16	5	31.3	38	7	18.4	1	0	--	NA	NA	--	2	0	--	NA	NA	NA	NA	--	195	38	19.5
Total	3,453	442	12.8	375	22	5.9	884	90	10.2	67	7	10.4	86	6	7.0	17	0	--	NA	NA	891	17	1.9	6,836	584	8.5

A = Total Awarded

B = Total Number of Hawaiians Awarded

C = Per Cent of Total Awarded

Source: UH Campuses

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Exhibit 6A

University of Hawaii

FULL-TIME TUITION SCHEDULE

PER SEMESTER, ALL CAMPUSES

	1990-91		1991-92		1992-93		1993-94		1994-95	
	Res	Non-Res	Res	Non-Res	Res	Non-Res	Res	Non-Res	Res	Non-Res
UH-MANOA										
Undergraduate	615	1840	645	1940	670	2035	700	2130	730	2230
Graduate	730	2190	800	2405	860	2620	930	2830	995	3045
Law	955	2865	1005	3115	1055	3365	1105	3615	1155	3865
Medicine	2415	7245	2525	7915	2635	8585	2745	9250	2855	9920
UH-HILO										
Lower Division (incl. Hawaii CC)	200	1230	210	1290	220	1340	230	1400	240	1460
Upper Division	575	1720	595	1790	615	1860	635	1935	655	2010
UH-WEST OAHU	415	1240	420	1290	425	1340	430	1400	435	1460
UH-COMMUNITY COLLEGES	200	1230	210	1290	220	1340	230	1400	240	1460

NOTES: (1) Regular day tuition applies to any credit course offered throughout the year for which a General Fund appropriation is authorized.

(2) Above figures include tuition only. General fees are not included.

Exhibit 6B

University of Hawaii

CONTINUING EDUCATION AND COMMUNITY SERVICE

PER-CREDIT-HOUR RATES

CONTINUING EDUCATION AND COMMUNITY SERVICE (CCECS)	1990-91		1991-92		1992-93		1993-94		1994-95	
	Res	Non-Res	Res	Non-Res	Res	Non-Res	Res	Non-Res	Res	Non-Res
UH-MANOA CCECS										
Undergraduate	55	155	55	165	57	170	60	180	62	186
Graduate	55	155	60	201	65	220	70	236	75	255
UH-HILO CCECS	50	145	50	150	52	155	53	162	55	170

NOTE: At all campuses, tuition is not charged for credit courses that are subsidized under contractual agreements.

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Exhibit 6C

University of Hawaii

SUMMER SESSION PER-CREDIT-HOUR RATES

SUMMER SESSION	Effective Summer 1991		Effective Summer 1992		Effective Summer 1993		Effective Summer 1994		Effective Summer 1995	
	Res	Non-Res	Res	Non-Res	Res	Non-Res	Res	Non-Res	Res	Non-Res
UH-MANOA										
Undergraduate	55	110	55	110	57	114	60	120	62	124
Graduate	55	110	60	120	65	130	70	140	75	150
UH-HILO	50	100	50	110	52	114	53	120	55	124
UH-WEST OAHU	55	110	55	110	57	114	60	120	62	124
UH-COMMUNITY COLLEGES										
Transfer level credit courses numbered 100 and above	55	110	55	110	57	114	60	120	62	124
All other CC credit courses	50	100	52	110	54	114	56	120	58	124

NOTES: (1) At all campuses, tuition is not charged for credit courses that are subsidized under contractual agreements.

(2) Community Colleges summer session per-credit-hour rates also apply to non-subsidized credit courses offered off campus throughout the year.

College-Age Hawaiian population

Kamehameha Schools/Bishop Estate (KS/BE) has made projections of the number of Hawaiian students at the University and has compared its projected enrollments against the actual number enrolled, for the school years 1988-89 through 1990-91. The difference between "projected" and "actual" is very small for each of these years:

Total UH System Enrollment Projections vs. Actual

	1988-89	1989-90	1990-91
Projected	4,029	4,163	4,478
Actual	3,896	4,149	4,509
Error of Projection	3%	0%	-1%

KS/BE has made the following projections for the upcoming school years:

Exhibit 7

PROJECTIONS, HAWAIIANS AT UH 1991 - 2000
(Total For The UH System)

Year	No Tuition Waiver	If Tuition Waiver	Tuition Per Semester	Foregone Tuition
1990 - 91	4,509	4,509	$615(x2)	$5,546,070
1991 - 92	4,670	5,698	$645	$7,350,420
1992 - 93	4,775	5,025	$670	$7,805,500
1993 - 94	4,972	6,066	$700(x2)	$8,492,400
1994 - 95	5,329	6,501	$730	$9,491,460
1995 - 96	5,619	6,856	Unknown	?
1996 - 97	6,035	7,362	Unknown	?
1997 - 98	6,515	7,948	Unknown	?
1998 - 99	7,020	8,564	Unknown	?
1999 - 2000	7,403	9,031	Unknown	?

Note: Foregone tuition is calculated by multiplying projected number of Hawaiian students if tuition is waived, by resident undergraduate tuition at UH Manoa. No attempt has been made to calculate foregone tuition for different schools or for nonresident tuition costs.

This chart shows that by school year 1994-95 as much as 9.5 million dollars could be foregone tuition if a tuition waiver is implemented for all Hawaiian students enrolled in the University of Hawaii campuses if all were enrolled as resident undergraduates at UH Manoa.

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Population Projections

In addition to difficulties in projecting the total foregone tuition if tuition waivers for Hawaiian students become a reality, another difficulty lies in estimating the number of Hawaiians who would choose to enroll in one of the UH campuses. The outer limit of course, is the total number of Hawaiians extant. More realistically, the Bureau, with information provided by KS/BE attempted to estimate from census data the number of Hawaiians most likely to participate in this program.

Exhibit 8 from KS/BE shows Hawaiians born 1950 to 1988 who represent the pool of potential program participants.

KS/BE estimates that the steady increase in Hawaiian births from a low of 4,031 births in 1974, to a high in 1983 of 5,580 births will impact the college enrollment from Fall 1994 through Fall 2001. Since 1983 the number of births has fluctuated, but in 1988 it reached a peak of 5,876 births, a cohort which will reach age 18 in 2016.

The Nontraditional and Older Student

In addition to the pool of potential tuition waiver participants reaching college age, there may be a number of adults over age 25 who might consider returning to college if tuition waivers were made available. For example in 1980 3,731 Hawaiian females and 4,011 Hawaiian males had had one to three years of college. This represents nearly 8,000 Hawaiians who might return to finish their college education if offered a tuition waiver. As of this writing similar 1990 census figures are unavailable for a more up-to-date estimate of Hawaiian adults over 25 who have had one to three years of college.

Indeed, it may be the nontraditional, older Hawaiian college student who may find tuition waivers attractive. In a July 1991 hearing chaired by Hawaii Congresswoman Mink on federal aid for education, it was observed that there are more older single parents returning to college and these students could use more financial help.[5]

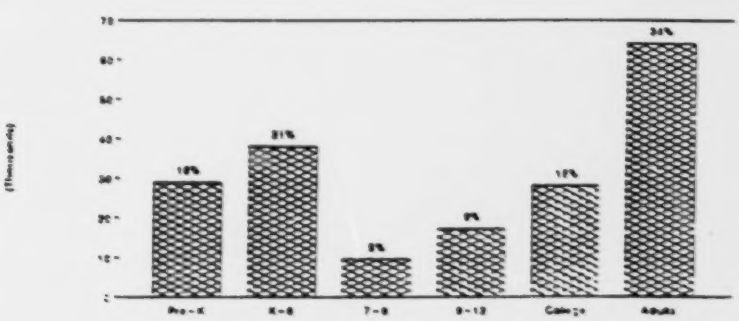
According to KS/BE's potential program participants estimates there could be as many as 64,000 adults between 25 and 41 years of age eligible to attend the UH system during the fall 1991 semester (birth years 1950 through 1966). For college age students in the more common age group of 18 through 24 years of age, there could be about 28,000 potential eligible students. Not all of these students would go to college of course, nor would they all choose to attend one of the UH campuses; some would still choose to go to a private or mainland college despite having to pay full tuition. These figures merely represent a statewide "pool" from which applicants could come, not including those Hawaiians who live elsewhere in the world.

Exhibit 8

POTENTIAL PROGRAM PARTICIPANTS ESTIMATES
HAWAIIANS BORN 1950 TO 1988

	A	B	C	D	E	F	G	H
Year	Total	Age in 1991	Grade in 1991	Attrition Adjustment (.5%/yr)	Current Estimate (A–D)	Service Clusters	% of Hawaiians Under 42	% Distribution By Cluster
Total	186,629	---		19,685	186,068		---	---
1950	3,761	41	Adult	771	2,990	64,142	1.6%	34.5%
1951	3,797	40	Adult	759	3,038		1.6%	
1952	4,085	39	Adult	797	3,288		1.8%	
1953	4,141	38	Adult	787	3,354		1.8%	
1954	4,357	37	Adult	806	3,551		1.9%	
1955	4,290	36	Adult	772	3,518		1.9%	
1956	4,424	35	Adult	774	3,650		2.0%	
1957	4,518	34	Adult	768	3,750		2.0%	
1958	4,468	33	Adult	737	3,731		2.0%	
1959	4,646	32	Adult	743	3,903		2.1%	
1960	4,797	31	Adult	744	4,053		2.2%	
1961	4,960	30	Adult	744	4,216		2.3%	
1962	5,087	29	Adult	738	4,349		2.3%	
1963	5,085	28	Adult	712	4,373		2.4%	
1964	4,910	27	Adult	663	4,247		2.3%	
1965	4,732	26	Adult	615	4,117		2.2%	
1966	4,587	25	Adult	573	4,014		2.2%	
1967	4,435	24	Grad 3	532	3,903	28,101	2.1%	15.1%
1968	4,177	23	Grad 2	480	3,697		2.0%	
1969	4,593	22	Grad 1	505	4,088		2.2%	
1970	4,792	21	Senior	503	4,289		2.3%	
1971	4,534	20	Junior	453	4,081		2.2%	
1972	4,380	19	Soph	416	3,964		2.1%	
1973	4,484	18	Frosh	404	4,080		2.2%	
1974	4,405	17	12	374	4,031	17,287	2.2%	9.3%
1975	4,518	16	11	361	4,157		2.2%	
1976	4,750	15	10	356	4,394		2.4%	
1977	5,060	14	9	354	4,706		2.5%	
1978	5,054	13	8	329	4,725	9,689	2.5%	5.2%
1979	5,280	12	7	317	4,963		2.7%	
1980	5,524	11	6	304	5,220	38,181	2.8%	20.5%
1981	5,736	10	5	287	5,449		2.9%	
1982	5,738	9	4	258	5,480		2.9%	
1983	5,812	8	3	232	5,580		3.0%	
1984	5,744	7	2	201	5,543		3.0%	
1985	5,545	6	1	166	5,379		2.9%	
1986	5,672	5	K	142	5,530		3.0%	
1987	5,786	4	Pre–Sch	116	5,670	28,967 1/	3.0%	15.6%
1988	5,965	3	TPS	89	5,876	28,967 1/	3.2%	

1/ Includes three years estimated at 5,708



Source: Kamehameha Schools/Bishop Estate, Office of Program Evaluation and Planning.

Hawaiians Who Live Elsewhere

The 1990 census reported that while 139,000 Hawaiians live in Hawaii, about 72,000 live elsewhere including California, Washington, Texas, Oregon, and Florida. While a breakdown by age is not yet available, any of these 72,000 could choose to attend the University of Hawaii system assuming no age restrictions or residency requirements in a tuition waiver program.

It is evident that even without tuition waivers, the number of college age Hawaiian students is likely to rise steadily in the next ten years. If tuition is waived, it is expected that more students would at least be willing to give college a try, or be willing to return to finish a college program which was abandoned in the past.

The Economic Benefit of Being Hawaiian

Assuming no residency requirement and no minimum blood quantum requirement, a part-Hawaiian who might have self selected another ethnicity as his or her classification for purposes of the data collection would likely be more willing to self-select the Hawaiian category in order to benefit from a tuition waiver at a UH campus. An accurate estimate of how many Hawaiians would take advantage of this kind of program is impossible to predict. The Bureau can only generalize that for each school year from 1991, the projected number of students would be higher than if no tuition waiver were available.

Michigan's Tuition Waiver Program

Michigan provides for free tuition for North American Indians in public state community or public junior colleges, public colleges, or public universities. The student must qualify for admission as a full-time, part-time, or summer school student and must be a legal resident of the state for not less than twelve consecutive months.[6] A "North American Indian" is defined as a person who is not less than one-quarter blood Indian as certified by the person's tribal association and verified by the Michigan commission on Indian Affairs.[7]

This commission annually reimburses each educational institution for the tuition waived during the prior fiscal year and reports annually to the Legislature.[8] This law has been in effect since August 1, 1976.

Despite repeated inquiries for data from the Michigan Commission on Indian Affairs, as of this writing the Bureau has not received any information about their tuition waiver program.

ENDNOTES

1. Haw Rev Stat., sec. 304-17(c).

2. Sec. a (1)(c) and (g), Board of Regents, University of Hawaii, Bylaws and Policies, Appendix 6-4. (Received from D. Robb Assistant to the Vice President for Student Affairs, University of Hawaii at Manoa, June 17, 1991).

3. In a tuition waiver situation, a student goes through registration as other students do and at the cashier's counter the tuition amount is simply cancelled out and the student pays the remaining balance for fees, and other charges. In a typical scholarship situation, the money owed for tuition is paid to the school in the form of a check from the student's benefactor--that is, money actually moves from the student to the school in some fashion instead of being treated as a "wash". A tuition waiver does not cover the cost of fees, books, or room and board so the student still would be responsible for these costs. The Pacific Asian scholarships operate as a tuition waiver despite its "scholarship" label.

4. Sec. (a)(2)(a). Board of Regents, University of Hawaii, Bylaws and Policies, Appendix 6-4. (Received from D. Robb Assistant to the Vice President for Student Affairs, University of Hawaii at Manoa, June 17, 1991).

5. "Mink Hears Pleas for Help," Honolulu Advertiser, July 2, 1991.

6. Mich. Stat. Ann. sec. 15.2114(1)

7. Mich. Stat. Ann. sec. 15.2114(2)

8. Mich. Stat. Ann. sec. 15.2114(2a)

CHAPTER 3

FINDINGS AND ISSUES

Introduction

Senate Resolution No. 83 is premised on the theory that providing tuition waivers for Hawaiian students attending any of the campuses of the University of Hawaii would enable a greater number of Hawaiians to complete college. It is presumed that as more and more Hawaiians obtain a college degree they would enjoy wider employment opportunity, higher income, status, and other benefits such as better health, longer life spans, and relying less heavily on social and human services.

The Assumptions Underlying S.R. No. 83

Senate Resolution No. 83 specifies no blood quantum and no minimum State residency. In fact, Hawaiian groups interviewed by the Bureau indicated a desire that tuition waivers should be made available to any person of Hawaiian ethnicity meeting university entrance requirements regardless of residency.

Based on the foregoing assumptions, the Bureau has made the following findings:

- In 1990 the total population of Hawaiians in the United States was 211,000 and 138,742 of these persons lived in Hawaii.

- In the fall 1990 semester, the University of Hawaii system included 4,509 students who described themselves as Hawaiian or part-Hawaiian. In both the census and the university data, ethnic identity is self selected.

- Kamehameha School/Bishop Estate (KS/BE) estimated that between 25-30 percent of part-Hawaiians might identify another ethnic group category instead of the Hawaiian part when selecting an ethnic category, resulting in an undercount of Hawaiian students. Therefore KS/BE recommended a conservative upward adjustment of 22 percent to estimate the number of Hawaiians who might be eligible for a tuition waiver if it were available.

- Based on the annual number of Hawaiian births since 1967 and an attrition adjustment of 0.5% per year, KS/BE estimated there could be about 28,102 Hawaiians in the 18-24 year old range who could potentially benefit from a tuition waiver program.

Of course it is unlikely that all of these 28,000 Hawaiians would choose college, even if tuition were waived, and some of these college-age Hawaiians might still choose to attend another college in Hawaii or on the mainland.

- In addition to Hawaiians in the 18-24 year old range there may be a number of Hawaiian adults over 25 years who might wish to use a tuition waiver to return to college to take advantage of an opportunity which did not exist when these persons were of college age. In 1980, among Hawaiian males and females over 25 years old, about 7,700 had had one to three years of college. Similar data from the 1990 census have not yet been published.

- Projections of Hawaiian student population at the University by KS/BE indicated that the number of Hawaiian students enrolling in the University of Hawaii system is expected to increase from 4,670 in school year 1991-92 to 7,403 Hawaiian students in school year 1999-2000.

- In the fall 1990 semester, the total foregone tuition revenues in the University of Hawaii system for all types of tuition waiver programs were $4,189,700. The total number of waivers awarded in the fall 1990 semester was 6,836, of which 584 or 8.5% of the total number of waivers was granted to Hawaiian students. It is not possible to extrapolate from these figures the tuition revenues foregone from Hawaiian students receiving tuition waivers, because tuition waivers are granted as a function of meeting criteria other than ethnicity and there is no breakdown of whether the Hawaiian students receiving waivers are residents, nonresidents, graduate students, etc. However, if 8.5% of the total number of tuition waivers were awarded to Hawaiians and the same percentage is applied to calculate foregone revenues, then Hawaiian students accounted for about $357,926 of foregone tuition revenues in the fall 1990 semester.

- Calculated differently, if all Hawaiian students enrolled in the fall 1990 semester (4,509) received tuition waivers, then the total foregone tuition revenues would have been about $5,546,000 (based on the cost of resident tuition for undergraduates at the Manoa campus). A more accurate calculation would require first, an accurate count of the number of Hawaiian students and then a breakdown of the number of Hawaiian students by such factors as residency/nonresidency status, the specific campus, graduate/undergraduate classification, and an indication of the program (medicine, law, etc.) in which the student is enrolled.

- An estimate of future foregone tuition revenues as projected by KS/BE foresees foregone tuition reaching $9.4 million by school year 1994-95. This is a conservative figure based on past projected Hawaiian enrollments.

- The economic benefit of identifying as a Hawaiian for purposes of obtaining a tuition waiver while attending the University of Hawaii would assure an increase in the number of Hawaiian students even if enrollment figures remain constant. This increase would be the result of Hawaiian students who formerly identified with another ethnic group choosing instead to identify themselves as Hawaiian in order to qualify for a tuition waiver. Therefore the population figures used in this report should be viewed as undercounting the number of Hawaiian students who could be expected to enroll if tuition waivers become a reality.

- Very little about the effect of instituting tuition waivers for Hawaiians upon administrative costs can be predicted with accuracy. Even if there is only minimal change in the number of Hawaiians enrolled, the University of Hawaii probably would have to anticipate incurring administrative costs to verify ethnicity and monitor the program. It is also impossible to anticipate the specific areas (community colleges or Manoa undergraduate, arts and sciences or agriculture, etc.) in which the increase in Hawaiian students will be felt and for which additional classrooms or professors might be needed.

Issues

The consideration of a tuition waiver program for Hawaiian students raises several issues such as the constitutionality of legislating waivers for a single ethnic group, how to make up for the tuition shortfall to the University, and other policy questions.

The Issue of Constitutionality

An issue of a legal nature is whether the State has the authority to provide special benefits for an ethnic group. A similar question about the constitutionality of scholarship aid to a particular ethnic group was raised in an Attorney General Opinion in 1974.

In 1974 the Attorney General issued Opinion No. 74-10 which examined (among other things) the issue of whether or not the University could legally accept and administer a scholarship which specified that its recipient must be of a certain racial extraction. The conclusion of this opinion was that the University cannot accept and administer a scholarship on the basis of ethnic extraction, sex, religion, or national origin. Thus the Korean University Club endowment fund accepted by the University in 1947 which specified that "scholarships will be awarded to Hawaii-born Korean students only" would be constitutionally impermissible. Similarly, the Rubie Ethel Kono Scholarship, accepted by the University in 1957, which specified that holders be "a needy, female student preferably of Japanese ancestry" would be inherently suspect under the U.S. Constitution's Equal Protection Clause and the Hawaii State Constitution.

At the federal level the issue of offering scholarships to minority students was raised in December 1990, when Michael L. Williams, Assistant Secretary of Education for civil rights issued a press release stating that it would be illegal under federal civil rights laws for the Universities of Louisville and Alabama to administer $100,000 in scholarships for minority students which had been offered by sponsors of the Fiesta Bowl. This policy was revised after a storm of protest and criticism from education officials and others. At last report, the newly appointed Education Secretary Lamar Alexander told the education community that earlier statements about the legality of scholarships offered to specific racial or ethnic group students can be ignored, but the department would review this issue over the next six months.[1]

An official opinion from the State Attorney General should be requested before establishing a tuition waiver for Hawaiians to determine the most appropriate method for avoiding constitutional challenges.

The Issue of Foregone Tuition

A second issue is determining how the cost of allowing a Hawaiian student to attend the University tuition free is to be made up. As discussed in the previous chapter, even if it is difficult to predict with accuracy the exact number of Hawaiian students who might enroll in the University of Hawaii system it is expected that the number will be higher than in previous years because identifying oneself as Hawaiian would provide a tuition benefit. Therefore the university can anticipate the loss of considerable tuition moneys. How this foregone tuition shall be offset is a policy issue which the legislature might address in one of two ways.

One method is to appropriate funds in the general University of Hawaii budget for Hawaiian students' tuition waivers, but this method faces the obstacle of the issue of constitutionality, discussed previously.

Another method might be to allow another entity such as OHA to pay for tuition foregone from Hawaiian students, either from OHA's trust fund proceeds[2] or from legislative appropriation, or from a combination of both, as educational grants or tuition scholarships. Managed as a special account, OHA (for example) might set aside an amount of money based on the anticipated enrollment of Hawaiian students and reimburse the University of Hawaii for the actual number of students participating in the program.

Very little of OHA's current budget is being used for educational financial aid. The OHA Budget of about $8 million in fiscal year 1991-1992 contains an appropriation of about $300,000 for educational programs. In 1991-1992, $50,000 has been set aside to provide scholarship money to Hawaiian college students in the "gap" group who do not qualify for any financial aid.[3]

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A certain amount of trust fund proceeds are due the Office of Hawaiian Affairs (OHA) from ceded lands being used by the University of Hawaii for dormitories and apartment buildings. The Legislative Auditor's *Final Report on the Public Land Trust* indicated that the University occupies about 102.5 acres in Manoa and Hilo which are ceded lands.[4]

University Controlled Lands The University of Hawaii controls a total of 53 parcels totaling approximately 1,700 acres. Of this amount, about 1,275 acres or 75 per cent is set aside to the university by various Governor's executive orders. The remaining 425 acres or 25 per cent were acquired by purchase, gift, or grant. Of the 1,275 set aside acres, a large amount is held in fee by the university.

We examined the lands set aside to the university by gubernatorial executive orders. We reasoned that these lands, if any, among the lands set aside to the University of Hawaii, would likely include ceded lands. From these set aside lands, we identified those that appeared to generate income of some significance. The lands set aside by executive orders that appeared to generate significant revenue include lands used for student and faculty housing.

We have determined that approximately 42 acres at Manoa on which five faculty apartment buildings are situated and 60 acres at Hilo on which four student dormitories are situated are former crown or government lands and are thus ceded lands, title to which passed to Hawaii under section 5(b) of the Admission Act. In addition, it appears that 0.515 acres at Manoa on which sits the Hale Laulima student dormitory, are lands acquired in exchange for former crown or government lands and may thus be considered as ceded lands, title to which passed to Hawaii under section 5(b) of the Admission Act.

University of Hawaii Ceded and Non-Ceded Lands

Tax Map Key No.	Owner	GEO No.	Date		Total Ceded Acreage	Admission Act Section
3-3-56	UH Manoa--Faculty Housing	1807	10/25/57		42.000	5(b)
2-4-1	UH Hilo--Hilo Campus including Student Housing	1807	10/25/57	29.015		
		1974	12/02/61	.855		
		2016	04/16/62	3.214		
		2252	12/20/65	26.847		
				59.931	60.000	5(b)
2-8-23	UH Manoa--Hale Laulima Student Dormitory	1807	10/25/57		.515	5(b)
TOTAL CEDED ACREAGE					102.515	

Source: Office of the Legislative Auditor. Final Report on the Public Land Trust.

To get this program moving, an initial legislative appropriation could set up the mechanism for the program. As OHA receives more trust fund proceeds, the legislature can consider whether its appropriation could be phased out or reduced.

Another consideration for assigning the funds to an agency like OHA is that since the broader educational purpose of Senate Resolution No. 83 is to provide scholarships to permit Hawaiian students to obtain a college education, it would seem reasonable that one who could qualify and wished to attend another institution of higher learning either in Hawaii or on the mainland should also benefit from a tuition scholarship. Using OHA or an administrative mechanism, Hawaiian students would not be restricted to obtaining a degree from University of Hawaii campuses only. In addition, a nonresident Hawaiian who wished to attend college in that person's home state would also be able to benefit from a tuition scholarship received from OHA.

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Other Policy Issues

There are other miscellaneous policy issues which the Bureau raises for consideration if a tuition waiver program is instituted, which would include the following, among others: length of enrollment in tuition waived programs, how to verify Hawaiian ethnicity, whether tuition waivers shall be made available only in degree granting programs, what kind of sanctions shall apply for fraudulent utilization of waivers. For example, Hawaiians who register to vote for OHA board members simply make application in the form of an affidavit at the office of the county clerk and swear to the truthfulness of being a Hawaiian (Section 11-15, Hawaii Revised Statutes). There is no other verification requirement. Whether or not this would be sufficient for the University's tuition waiver program or whether submission of a birth certificate or other verification statement would be necessary is an issue which must be addressed by the University, OHA, or any agency assigned this task. In some cases, because of the peculiarities of self-reporting by birth mothers in the past, the part-Hawaiian ethnicity was not reported on birth certificates. In these types of cases it might be necessary to produce the birth certificate of another family member such as an uncle, grandparent, to establish Hawaiian ancestry.[5]

As to eligibility limitations, current tuition waivers provided by for example, section 304-17, Hawaii Revised Statutes, limits tuition waivers "... for a period [no] longer than four academic years while pursuing a professional or advanced degree, bachelor's degree, associate degree, or a certificate, as the case may be." Tuition waivers for students in the National Guard or military reserves (Section 304-14.6, Hawaii Revised Statutes) must be for resident undergraduates or graduates "working towards a degree" who maintain a "...satisfactory military performance..." and "...the exemption for tuition shall be applicable only for the academic year excluding summer session and courses offered by the college of continuing education and public service which are not directly supported by an appropriation from the state general fund." Similar limitations (or none at all) might be considered for tuition waivers for Hawaiian students.

The issue of fraudulent enrollment may or may not be a critical problem which might be solved by requiring an annual audit. These are only a few policy questions which might be raised by the university and others when a tuition waiver proposal is before the legislature. A full public hearing will doubtless raise other administrative questions.

ENDNOTES

1. "Alexander tells Colleges they can Continue to offer Minority Scholarships while he conducts review", The Chronicle of Higher Education, March 27, 1991, pp. 22, 24, and other articles in the Chronicle, January 9, 1991, pp. 1, 32, and 33.

2. A discussion of the ceded lands trust can be found in: MacKenzie, Melody K., Native Hawaiian Rights Handbook, Honolulu, Native Hawaiian Legal Corporation, 1991.

3. Interview with Rona Rodenhurst, Education Officer, Office of Hawaiian Affairs, Sept. 5, 1991.

4. Office of the Legislative Auditor with the assistance of Yukio Naito, Final Report on the Public Land Trust, Honolulu, Dec. 1986, pp. 37-38.

5. According to Ms. Rodenhurst, OHA's Education Officer, the Department of Health and OHA are currently working on an Hawaiian genealogy project which has a goal of validating the Hawaiian genealogy of 150,000 persons. Completion of this database would facilitate the provision of various services to Hawaiians based on ethnicity.

THE SENATE
SIXTEENTH LEGISLATURE, 1991
STATE OF HAWAII

S.R. NO. 83

MAR 15 1991

SENATE RESOLUTION

REQUESTING A STUDY ON TUITION WAIVERS FOR NATIVE HAWAIIANS WITHIN THE UNIVERSITY OF HAWAII SYSTEM.

WHEREAS, the number of Native Hawaiian students attending the University of Hawaii is greatly disproportionate when compared to their numbers in the total state population; and

WHEREAS, Hawaiians comprise 20.6 percent of the total state population, but represent less than 9.5 percent of the student population of the University of Hawaii, including all community colleges; and

WHEREAS, the University of Hawaii is currently making efforts to increase minority participation through programs to recruit and retain minority students at Manoa by Operation Kua'ana and at Hilo by the Hawaiian Leadership Development Program and the College Opportunities Program; and,

WHEREAS, none of the present programs address financial need, which is the primary impediment to recruitment and retention of Hawaiian students; and

WHEREAS, recent research regarding student needs indicates that for the most part, Hawaiian students come from the lower economic strata, making it difficult for them to meet tuition payments, the basic financial requirement for enrollment; and,

WHEREAS, all Native Hawaiians requesting tuition waivers must meet the minimum academic standards for attendance at the university; and

WHEREAS, a portion of the University of Hawaii facilities are on ceded lands for which Hawaiian students should be given consideration; and,

WHEREAS, the University generates profits through its bookstore and other non-academic means that are not shared with the Office of Hawaiian Affairs; now, therefore,

S.R. NO. 83

BE IT RESOLVED by the Senate of the Sixteenth Legislature of the State of Hawaii, Regular Session of 1991, that the Legislative Reference Bureau is requested to conduct a study on tuition waivers for Native Hawaiians within the University of Hawaii system; and

BE IT FURTHER RESOLVED that the study include a comparative analysis of tuition waivers in other states throughout the country, such as Michigan's Indian Tuition Act, an assessment of alternatives to the present system that may provide more opportunities for Native Hawaiians to enroll in the University of Hawaii system, and an assessment of the costs of providing tuition waivers; and

BE IT FURTHER RESOLVED that the Legislative Reference Bureau submit its findings and recommendations to the Senate no later than twenty days prior to the convening of the Regular Session of 1992; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Director of the Legislative Reference Bureau, the Chairperson of the Board of Regents and the President of the University of Hawaii, the Chancellor of the Community College System, Operation Kua'ana, University of Hawaii-Manoa, Hawaiian Leadership Development Program, University of Hawaii-Hilo, the Kamehameha Schools, Bishop Estate, and the Office of Hawaiian Affairs.

OFFERED BY: _____

Appendix B

Section 304-17
Hawaii Revised Statutes

§304-17 Financial aids. (a) "Financial aid" as used in this section, means the tuition waivers authorized in subsections (b) and (c). A financial aid unit shall consist of a tuition waiver awarded for the regular academic year or a semester thereof, and providing full coverage of tuition and other fees as authorized by the board. The board shall have the power to divide a unit, among two or more students or among students whose financial need will not substantiate a full unit. The total units of state financial aid in any given academic year shall not exceed thirteen per cent of the total full-time enrollment in the previous fall semester, except that the projected enrollment for each entering class of a new campus shall be calculated as part of its full-time undergraduate enrollment until such campus shall have graduated its first class. The allocation of the total number of units of financial aid shall be adjusted annually, based upon the ratio between full-time students enrolled at the baccalaureate degree granting campuses and in the community college system.

Tuition waivers awarded to financially needy students in college transfer programs in the community colleges shall be continued upon their transfer into baccalaureate programs provided they continue to qualify, with the tuition waiver then to count against the quota for the baccalaureate degree granting campus. A tuition waiver awarded to a student who concurrently registers and enrolls at two or more campuses of the University of Hawaii during the same semester shall be counted against the quota for the campus at which the student is considered by the university to be seeking a certificate or degree. Each tuition waiver shall be granted for a period of one academic year, and may be renewed each year for all recipients who maintain a satisfactory standard of scholarship and deportment, and who continue to demonstrate financial need. The board may reaward to a new recipient the unused portion of a tuition waiver if the original awardee has left school, or for some reason ceases to remain qualified to receive financial aid. No student shall receive tuition waivers for a period longer than four academic years while pursuing a professional or advanced degree, bachelor's degree, associate degree, or a certificate, as the case may be.

(b) The board of regents may waive entirely or reduce the tuition fee or any of the other fees for students, resident or nonresident, who are well qualified or in need of financial assistance, not to exceed fifteen per cent of the total full-time enrollment of the previous fall semester for each campus in the system. Two per cent of these tuition waivers shall be used for the purpose of subsection (c). These tuition waivers shall be awarded in accordance with guidelines established by the board of regents.

(c) Tuition waivers in the amount provided in subsection (b) may also be awarded to highly qualified, full-time students at any University of Hawaii campus whose presence advances the university's unique mission as a bridge between east and west, and also enhances the leadership role the university and the State have assumed in the Pacific and Asian regions. These tuition waivers shall be awarded in accordance with guidelines established by the board of regents. [L 1937, JR 12, pt of §5; RL 1945, §1954; am L 1953, c 215, §2; RL 1955, §44-15; am L 1957, c 212, §3; am L 1961, c 172, pt of §1; am L 1963, c 140, §2; HRS §304-17; am L 1969, c 111, §3; am L 1971, c 142, §3; am L 1974, c 161, §4; am L 1976, c 67, §1; am L 1981, c 191, §3; am L 1985, c 287, §4]

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4. The following shall be the guidelines for the administration of the Tuition Waiver and Pacific-Asian Scholarship Programs which are authorized pursuant to Section 304-17, Hawaii Revised Statutes.

(1) Tuition Waiver Program

(a) Purpose:

University of Hawaii Tuition Waivers are intended to:

1. Support equal access by Hawaii residents to University programs by making tuition assistance available to students with demonstrated financial need;

2. Promote the achievement of high quality educational programs by attracting and retaining academically superior students on our campuses; and

3. Foster the development and maintenance of a highly diversified and stimulating campus environment.

(b) Eligibility:

To be eligible for a Tuition Waiver, an individual must be a classified student or participate in a recognized pre-admission program maintained by various professional schools at Manoa. The responsibility for setting additional requirements and guidelines is delegated to the President who may in turn delegate responsibility to Chancellors consistent with the following provisions.

(c) Residency:

Recipients of Tuition Waivers may be residents or non-residents except that at least half of the available waivers at each campus shall be made initially available to residents with demonstrated financial need.

(d) Length of Award:

Awards shall be granted for a regular academic year (fall and spring semesters) or a semester thereof, and may be renewed for a maximum of four years while the student is pursuing any particular certificate or degree program. Tuition Waivers awarded to financially needy community college students in college transfer programs shall be continued upon their transfer into baccalaureate programs, provided they continue to qualify, with the Tuition Waiver then to count against the number available at the baccalaureate degree-granting campus.

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(e) Amount of Award:

A Tuition Waiver unit shall consist only of a waiver of full-time tuition for a regular semester of an academic year and shall not be applicable to any other activity or instructional fee. A tuition waiver may be divided as necessary between two or more students on a proportional basis. In the case of students receiving other forms of need-based financial aid, the total value of this award and all other financial aid may not exceed the student's computed financial need as determined by the campus financial aid office.

(f) Number of Units Available:

The number of Tuition Waiver units available at any one time shall not exceed thirteen percent of the total, fall semester, full-time equivalent (FTE) student enrollment of the prior academic year at each campus. Should the recipient of a waiver cease to remain eligible during the second semester of an award year, any remaining semester unit may be given to another eligible student. A tuition waiver awarded to a student who concurrently enrolls at two or more campuses of the University during the same semester shall be counted against the quota at the student's "home campus" as defined in the regulations governing concurrent registrants.

(g) Program Administration:

Within all applicable guidelines approved by the Board of Regents, authority for program administration is delegated to the President, who may redelegate responsibilities as appropriate. In accordance with a formula to be approved by each Chancellor, available Tuition Waivers may be used for the following:

1. To provide financial support to eligible students with demonstrated financial need as determined by existing financial aid standards and procedures. In the case of financial need, tuition waivers may be awarded to needy non-residents only after waivers have been made available to needy resident students.

2. To foster the achievement of scholastic excellence by attracting and retaining highly qualified students.

3. To develop and sustain high quality artistic and cultural endeavors.

4. To promote and maintain quality programs and activities which contribute to the development of school spirit and pride or of improved community relations.

5. To enhance selected programs by attracting and retaining qualified students from underrepresented groups.

6. To fulfill various institutional agreements relating to the tuition-free exchange or acceptance of students.

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In administering the Tuition Waiver Program, each campus shall establish and publish reasonable deadlines and procedures to insure that, where it is appropriate, students are provided with ample notice of such waivers and any procedural requirements. Additionally, in a format to be prescribed, each campus shall compile information on the distribution of all tuition waivers for the President who shall summit an annual utilization report to the Board of Regents.

(2) Pacific-Asian Scholarship Program

(a) Purpose:

Those tuition waivers authorized pursuant to subsection (c), Section 304-17, Hawaii Revised Statutes, shall be known as Pacific-Asian Scholarships. The purpose of the Pacific-Asian Scholarship Program is to support the University of Hawaii's recognized mission to provide relevant education and training to those who will assume positions of leadership, responsibility and service in the Pacific and Asian region. Accordingly, this program is intended to encourage highly qualified students to attend University of Hawaii campuses and take advantage of the special opportunities available to pursue courses of study important to the Pacific and Asian region.

(b) Eligibility:

Overall eligibility for Pacific-Asian scholarships is based on the student's scholastic merit and a planned course of study important to the Pacific-Asian region. Such a course of study may be pursued within and across a wide range of disciplines and need not be restricted to programs designated as "Pacific" or "Asian Studies." Therefore, responsibility for setting guidelines in this area is delegated to the President, who may in turn redelegate responsibility to the Chancellors. Depending on their campus, recipients must meet the following overall eligibility criteria relating to academic merit and course of study:

1. To be considered for a Pacific-Asian Scholarship, candidates must be full-time classified students pursuing a course of study important to the Pacific-Asian region. In addition, candidates must meet academic criteria established by each Chancellor.

   (A) Entering students must meet academic criteria predictive of superior performance in their chosen field of study. Such criteria may include prior earned grades, class rankings, standardized test scores, or other appropriate indices of achievement.

   (B) Continuing students must meet academic criteria indicating superior performance in their chosen field of study. Such criteria shall include grades and other appropriate indices of achievement.

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2. At the discretion of each Chancellor, Pacific-Asian Scholarships may be awarded to well-qualified undergraduate and graduate students from Pacific and Asian jurisdictions pursuing a course of study under special programs or institutional agreements.

(c) Residency:

Both residents and nonresidents may apply for Pacific-Asian Scholarships. At least half of the available scholarship units at each campus shall be made initially available to highly qualified nonresidents who are residents of Pacific, East Asian and Southeast Asian jurisdictions, and who meet the academic merit and planned course of study criteria stated above.

(d) Student Status:

Students holding Pacific-Asian scholarships shall be enrolled as full-time classified students.

(e) Length of Award:

Awards shall be granted for a period of one regular academic year (fall and spring semesters) or a semester thereof, and may be renewed for a maximum of four years while the student is pursuing any particular certificate or degree program provided all other requirements set forth herein are met.

(f) Amount of Award:

A Pacific-Asian Scholarship unit shall consist only of the waiver of the applicable full-time tuition for a regular academic year and shall not be applicable to any other activity or instructional fee. In the case of students receiving other forms of need-based financial aid, the total value of this award and all other financial aid may not exceed the student's computed financial need as determined by the campus financial aid office.

(g) Number of Awards Available:

The number of Pacific-Asian scholarship units available at any one time shall not exceed two percent of the total, fall semester, full-time equivalent (FTE) student enrollment of the prior academic year at each campus. Should the recipient of a scholarship cease to remain eligible during the second semester of an award year, any remaining semester unit may be given to another eligible student.

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(h) Program Administration:

Within the guidelines set forth herein, authority for program administration is delegated to the President who may redelegate responsibilities as appropriate. In administering the Pacific-Asian Scholarship Program, each campus shall establish and publish reasonable deadlines and procedures to insure that students are given ample notice of such waivers and all procedural requirements. Additionally, in a format to be prescribed, each campus shall compile information on the distribution of all scholarships for the President who shall summit an annual utilization report to the Board of Regents.

Material to be repealed is bracketed. New material is underscored.

PUBLISHED REPORTS OF THE LEGISLATIVE REFERENCE BUREAU

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- Hawaii Administrative Rules Directory. 227 p. (reprint)
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- Guide to Government in Hawaii. Ninth Edition. 194 p. $3.00
1. Intrafamily Child Sexual Abuse: Exploring Sentencing Alternatives To Incarceration. 75 p.
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